

**DUANE MORRIS LLP**

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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CAPITOL RECORDS, LLC; CAROLINE RECORDS, INC.; EMI CHRISTIAN MUSIC GROUP INC.; PRIORITY RECORDS LLC; VIRGIN RECORDS AMERICA, INC.; BEECHWOOD MUSIC CORP.; COLGEMS-EMI MUSIC INC.; EMI APRIL MUSIC INC.; EMI BLACKWOOD MUSIC; EMI FULL KEEL MUSIC; EMI GOLDEN TORCH MUSIC CORP.; EMI LONGITUDE MUSIC; EMI VIRGIN MUSIC, INC.; EMI VIRGIN SONGS, INC., EMI AL GALICO MUSIC CORP., EMI ALGEE MUSIC CORP., EMI FEIST CATALOG, INC., EMI GOLD HORIZON CORP., EMI GROVE PARK MUSIC, INC., EMI HASTINGS CATALOG, INC., EMI MILLS MUSIC, INC., EMI MILLER CATALOG, INC., EMI ROBBINS CATALOG, INC., EMI U CATALOG, INC., EMI UNART CATALOG, INC., JOBETE MUSIC CO., INC., SCREEN GEMS-EMI MUSIC, INC., STONE AGATE MUSIC, and STONE DIAMOND MUSIC,

Plaintiffs,

v.

MP3TUNES, INC., and MICHAEL ROBERTSON,

Defendants.

CIVIL ACTION NO. 07 Civ. 9931 (WHP)  
ECF Case

**SUPPLEMENTAL DECLARATION  
OF GREGORY P. GULIA  
IN SUPPORT OF DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT**

I, GREGORY P. GULIA, hereby declare:

1. I am a partner at the firm Duane Morris LLP, attorneys for defendants MP3tunes, Inc. ("MP3tunes") and Michael Robertson (collectively, "Defendants"). I submit this supplemental declaration in support of Defendants' Motion for Summary Judgment.
2. Attached hereto as Exhibit RR is a copy of selected portions of the transcript of the deposition of Camille Wood held on January 15, 2010.
3. Attached hereto as Exhibit SS is a copy of selected portions of the transcript of the deposition of Douglas Reese held on January 25-27, 2010.
4. Attached hereto as Exhibit TT is a copy of selected portions of the transcript of the deposition of Ellis Horowitz held on August 19, 2010.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 17, 2010  
New York, New York

By:



Gregory P. Gulia